

SCHEDULE 3

International applications originating in the United Kingdom

Application for international registration at the Patent Office

1.—(1) An applicant for the registration of a trade mark, or the proprietor of a registered trade mark, may, subject to the provisions of this paragraph, apply by way of the Patent Office as office of origin for the international registration of the trade mark.

(2) For the purposes of this paragraph an applicant shall be—

- (a) a British citizen, a British overseas territories citizen, a British overseas citizen, a British subject or a British protected person;
- (b) an individual domiciled in the United Kingdom;
- (c) a body incorporated under the law of a part of the United Kingdom; or
- (d) a person who has a real and effective industrial or commercial establishment in the United Kingdom.

(3) Where the registrar has reasonable doubts about whether an applicant is eligible, the registrar—

- (a) must inform the applicant of the reason for those doubts; and
- (b) may require that applicant to file evidence in support of his eligibility.

(4) Where—

- (a) the registrar has no doubts or is satisfied as to the applicant's eligibility; and
- (b) the particulars appearing in the application for an international registration correspond with the particulars at that time in the basic application or, as the case may be, the basic registration,

the registrar must submit the application to the International Bureau.

(5) In this Schedule—

- (a) “basic application” means an application for registration of a trade mark in the United Kingdom in respect of which application is made for international registration;
- (b) “basic registration” means a trade mark registered in the United Kingdom in respect of which application is made for international registration.